



CASE CLV-31679A

CERTIFICATE OF MAILING

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450

Sara Carter
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Sara Carter
Signature

March 3, 2004
Date

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF

TUREK ET AL.

APPLICATION NO: 10/017,549

FILED: DECEMBER 14, 2001

FOR: A TINTED, HIGH DK OPHTHALMIC MOLDING AND A METHOD
FOR MAKING SAME

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

FEE LETTER

Sir:

Enclosed herewith is a Terminal Disclaimer in the above-identified application.

The Commissioner is hereby authorized to charge the \$110 fee under 37 CFR §1.20(d) and any additional fees that may be required to Deposit Account No. 50-2965 in the name of Ciba Vision. An additional copy of this paper is here enclosed.

Respectfully submitted,

Jian Zhou

Jian Zhou
Agent for Applicants
Reg. No. 41,422

CIBA Vision Corporation
Patent Department
11460 Johns Creek Parkway
Duluth, GA 30097-1556
(678) 415-4691
Date: March 3, 2004



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TERMINAL DISCLAIMER

Sir:

Novartis AG, a a company organized under the laws of the Swiss Confederation, having a place of business at Lichtstrasse 35, Basel, Switzerland 4056, represents that it is the assignee and owner of the entire interest in the above-identified application by virtue of an assignment which is being transmitted for recordation in the United States Patent and Trademark Office concurrently herewith. A copy is attached hereto.

Novartis AG hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the above-identified application which would extend beyond the expiration date of the full statutory term defined in 35 USC §154-156 and §173 as shortened by any terminal disclaimer filed prior to the grant of any patent granted on pending **Application No. 10/153,040** filed May 22, 2002. Said Application No. 10/153,040 is also assigned to Novartis AG by virtue of an assignment which an assignment which is being transmitted for recordation in the United States Patent and Trademark Office concurrently herewith. A copy is attached hereto.

Novartis AG hereby agrees that any patent granted on the above-identified application shall be enforceable only for and during such period that it and any patent granted on Application No. 10/153,040 are commonly owned. This agreement runs with any patent granted on the above-identified application and is binding upon the grantee, its successors or assigns.

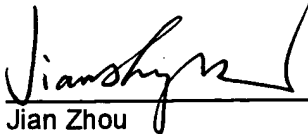
In making the above disclaimer, Novartis AG does not disclaim the terminal part of any patent granted on the above-identified application that would extend to the expiration date of the full statutory term as defined in 35 USC §154-156 and §173 of any patent granted on Application

No. 10/153,040, as shortened by any terminal disclaimer filed prior to the patent grant, in the event that any such granted patent: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR §1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

A terminal disclaimer fee under 37 CFR §1.20(d) is included.

Signed this Third day of March, 2004 by the undersigned attorney of record.

CIBA Vision Corporation
Patent Department
11460 Johns Creek Parkway
Duluth, GA 30097-1556
(678) 415-4691


Jian Zhou
Agent for Applicants
Reg. No. 41,422

ASSIGNMENT

We,

Richard Charles Turek residing at 2660 Drew Valley Road, NE
Atlanta, Georgia 30319

Jacalyn Mary Schremmer residing at 1270 Mayfair Dr., NE
Atlanta, Georgia 30324,

for good and valuable consideration, the receipt and adequacy of which is hereby acknowledged, do hereby sell and assign to **Novartis AG**, a company organized under the laws of the Swiss Confederation, having a place of business at Schwarzwaldallee 215, Basel, Switzerland 4058, its successors, assigns and legal representatives, all our right, title and interest, which includes the right to and full benefit of such priorities as may now or hereafter be granted tous by local laws or by treaty, including any international convention for the protection of industrial property, in and for the United States and its territories and possessions in and to the invention entitled:

A Tinted, High Dk Ophthalmic Molding and a Method for Making Same

invented by us and described in the application for United States Letters Patent

Application No. 60/259,957, filed January 5, 2001,

including (1) said provisional application for United States Letters Patent and subsequent non-provisional or international application(s) designating the United States which claim the benefit of said provisional application, and all continuations and divisions thereof (including further continuations and divisions such as, but not limited to, continuations of continuations and divisions of continuations), (2) all United States Letters Patent which may be issued and/or granted on all such applications, (3) all applications for reissues and extensions of and reexamination certificates for all such United States Letters Patent and (4) all reissues and extensions and reexamination certificates issued for all such United States Letters Patent, the said interest being the entire ownership of said invention and all of said applications, United States Letters Patent (including reissue Letters Patent), extensions and reexamination certificates to be held and enjoyed by the said Novartis AG and its successors and assigns to the full end of the terms to which said United States Letters Patent (including reissue Letters Patent), extensions and reexamination certificates may be granted and/or issued, as fully and entirely as the same would have been held and enjoyed by us if this sale, assignment and transfer had not been made;

And we hereby agree to sign and/or execute any further documents and/or instruments which may be necessary, lawful and proper in and/or for the filing and/or prosecution of said applications for United States Letters Patent (including reissue Letters Patent), extensions and reexamination certificates and/or the granting and/or issuance thereof and/or to otherwise secure title to said invention and all of said applications, United States Letters Patent (including reissue Letters Patent), extensions and reexamination certificates in said assignee.

Signed this *7th* day of *February*, 2001 by *Richard Charles Turek*
Richard Charles Turek

Signed this *9th* day of *February*, 2001 by *Jacalyn Mary Schremmer*
Jacalyn Mary Schremmer

Assignment of Priority Rights

I / We, the undersigned

1. Celeste AGUADO, 1708 Granger Court, Atlanta, GA 30341, USA, citizen of USA
2. John Martin LALLY, 1503 Hartman Drive, Lilburn, GA 30047, USA, citizen of Ireland
3. Paul Clement NICOLSON, 7765 Sagebrush Drive, Dunwoody, GA 30350, USA, citizen of USA
4. Yongxing QIU, 540 Stedford Lane, Duluth, GA 30097, USA, citizen of China
5. Jacalyn Mary SCHREMMER, 1270 Mayfair Drive, Atlanta, GA 30324, USA, citizen of USA
6. Lynn Cook WINTERTON, 840 Locust Grove Court, Alpharetta, GA 30201, USA, citizen of USA

assign to Novartis AG, a body corporate organized according to the laws of Switzerland, of Lichtstrasse 35, 4056 Basel, Switzerland, the right of priority

for **all PCT contracting states**

in respect of the invention disclosed and claimed in my (our) patent application(s) hereinafter identified, and in consequence thereof, authorize Novartis AG to file

in **all PCT contracting states**

in its name a patent application corresponding to my (our) patent application(s) filed

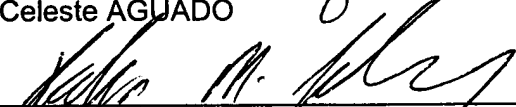
in **USA and USA**

on **May 30, 2001 and November 8, 2001** under No. **60/294512 and 60/337763**


while claiming the priority of my (our) above named patent application(s) in conformity with the dispositions of the International Convention.

Place and Date:

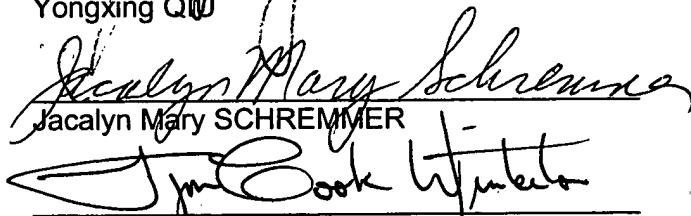

Celeste AGUADO


John Martin LALLY

Paul Clement NICOLSON


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Jacalyn Mary SCHREMMER


Lynn Cook WINTERTON

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while claiming the priority of my (our) above named patent application(s) in conformity with the dispositions of the International Convention.

Place and Date:

Celeste AGUADO

John Martin LALLY

Paul Clement Nicolson
Paul Clement NICOLSON

06/10/02

Yongxing QIU

Jacalyn Mary SCHREMMER

Lynn Cook WINTERTON